

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

United States of America,)	
)	
Plaintiff,)	
)	
v.)	Civil No.
)	
Sixty-Nine Thousand, Nine Hundred)	JURY TRIAL REQUESTED
Eighty-One Dollars (\$69,981.00) in U.S. Currency,)	
more or less, seized from Michael Roux,)	
)	
Defendant <i>in rem.</i>)	
)	

VERIFIED COMPLAINT FOR FORFEITURE IN REM

Plaintiff, United States of America, brings this Complaint according to Supplemental Rule G(2) of the Supplemental Rules for Certain Admiralty or Maritime Claims and Asset Forfeiture Actions, and alleges:

NATURE OF THE ACTION

This is an action to forfeit and condemn to the use and benefit of the United States of America the following property: Sixty-Nine Thousand, Nine Hundred Eighty-One Dollars (\$69,981.00) in U.S. Currency, more or less, seized from Michael Roux, for violations of 21 U.S.C. § 881(a)(6).

JURISDICTION AND VENUE

Plaintiff brings this action *in rem* in its own right to forfeit and condemn the defendant property under 21 U.S.C. § 881. This Court has subject matter jurisdiction over this action under 28 U.S.C. § 1345 and *in rem* jurisdiction under 28 U.S.C. § 1335.

Venue is proper in this district pursuant to 28 U.S.C. § 1335.

THE DEFENDANT IN REM

The defendant *in rem* is: Sixty-Nine Thousand, Nine Hundred Eighty-One Dollars (\$69,981.00) in U.S. Currency, more or less, seized from Michael Roux. The defendant *in rem* is presently in the custody of the United States Marshals Service.

FACTS

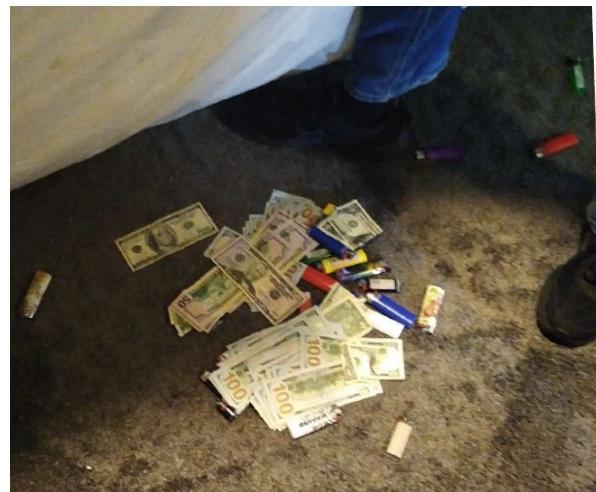
1. In October of 2021, law enforcement officers executed a state search warrant at a residence in Manchester, New Hampshire that led to the seizure of approximately 200 grams of a substance that field-tested positive for cocaine. A cooperating individual (“CI”) at the residence identified Michael Roux (“Roux”) as a source of supply.

2. The CI informed officers that Roux lives at 485 Granite Street, Manchester, New Hampshire, Unit 1. The CI told officers that it met with Roux at his residence in mid-October 2021, and that Roux fronted the CI a “half brick” of cocaine. The CI confirmed that the 200 grams of cocaine that had been seized from the CI was a portion of the half brick of cocaine that the CI received from Roux. The CI told officers that it had observed numerous stamped bricks of cocaine inside the Roux’s home. Roux told the CI that the price for the half brick would be \$15,000 at a rate of \$30 per gram, making a half brick equal to 500 grams.

3. On November 5, 2021, law enforcement officers executed a federal search warrant at Roux’s premises. Officers found and seized: the defendant *in rem*, \$69,981.00 in U.S. Currency, more or less, from various locations within the residence. From the master bedroom officers seized: \$5,459.00 from inside a safe, \$7,354 from under the mattress, \$13,591.00 from inside a backpack, and a loaded Smith and Wesson M+P Shield, later determined to be stolen. They also seized \$36,860 from inside a spare bedroom closet, \$160 from a register, \$5657.00 from inside a purse in the kitchen, and \$900 from inside a wallet in the spare bedroom. They seized twelve additional firearms, including one stolen firearm, and over 3700 rounds of ammunition from the

basement and spare bedrooms. They seized a Tupperware container containing approximately 305 grams (.67 pound) of heroin from the basement, numerous bags containing approximately 4,244 grams (9.35 pounds) of marijuana were seized from the bedrooms, living room, and kitchen, and a large bag containing a white powder, later determined to be a cutting agent, was seized from the spare bedroom closet.

Figures 1 & 2- marijuana, firearm, scale and currency found under a mattress in Roux's bedroom.



Figures 2 & 3 - currency from inside backpack and safe in Roux's bedroom.



4. Roux's criminal history includes: three misdemeanor convictions for possession of a controlled drug in 2000 and 2001, and felony convictions for conspiracy to distribute a controlled substance in 2010, 2013.

5. During booking with the Manchester Police Department, Roux told law enforcement

officers that he was a laborer and a lumberjack. There is no plausible legitimate explanation for Roux's possession of the defendant *in rem* currency.

6. On February 2, 2022, a federal grand jury indicted Roux, charging him with possession of a firearm by a prohibited person. Indictment, *United States v. Michael Roux*, Cr. No. 22-cr-19-SM (D.N.H Feb. 2, 2022). DN 10.

CLAIM FOR FORFEITURE

7. The allegations contained in paragraphs 1 through 6 of this Verified Complaint for Forfeiture *in rem* are incorporated by reference.

8. Title 21, United States Code, Section 881(a)(6) subjects to forfeiture "all moneys ... or other things of value furnished or intended to be furnished by any person in exchange for a controlled substance or ... all proceeds traceable to such an exchange and all moneys ... used or intended to be used to facilitate any violation of" the Controlled Substances Act.

9. The defendant *in rem* was furnished or intended to be furnished in exchange for a controlled substance, in violation of the Controlled Substances Act, 21 U.S.C. § 801, *et seq.*, or represents proceeds traceable to such exchanges, or money used or intended to be used to facilitate violations of the Act. As a result, the defendant *in rem* is liable to condemnation and forfeiture to the United States for its use in accordance with 21 U.S.C. § 881(a)(6).

PRAYERS FOR RELIEF

Therefore, the United States requests that:

- (a) the Clerk of Court issue a Warrant of Arrest in Rem in the form submitted with this Verified Complaint to the United States Marshal for the District of New Hampshire, commanding him to arrest the defendant *in rem*;
- (b) this matter be scheduled for a jury trial;
- (c) judgment of forfeiture be entered; and

(d) this Court grant the United States its costs and whatever other relief to which it may be entitled.

Respectfully Submitted,

JANE E. YOUNG
United States Attorney

Dated: June 2, 2022

By: /s/ Robert J. Rabuck
Robert J. Rabuck
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Chief, Civil Division
Assistant U.S. Attorney
District of New Hampshire
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Concord, New Hampshire
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VERIFICATION

I, Ryan Burke, being duly sworn, depose and say that I am a Special Agent assigned to the United States Department of Justice, Federal Bureau of Investigation, and as such have responsibility for the within action, that I have read the contents of the foregoing Verified Complaint for Forfeiture *in rem* and know the contents therein, and that the same is true to the best of my knowledge, information, and belief.

The sources of my information and the grounds of my belief are official records and files of the United States and the State of New Hampshire, and information obtained by me and other law enforcement officers during an investigation of alleged violations of the controlled substances laws of the State of New Hampshire and of the United States.

/s/ Ryan Burke
Ryan Burke

STATE OF NEW HAMPSHIRE
COUNTY OF MERRIMACK

Subscribed and sworn to before me on June 2, 2022.

/s/ Joan E. Hederman
Notary Public

My commission expires: April 8, 2025.